

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Hope Organics LLC,

Plaintiff,

-against-

Preggo Leggings LLC,

Defendant.

Case No. 1:21-cv-2416-TMR

PRELIMINARY
INJUNCTION ORDER

Upon the motion of Plaintiff Hope Organics LLC (“Plaintiff”) seeking to preliminarily enjoin and restrain Defendant Preggo Leggings LLC (“Defendant”) from using the “MTHR” mark and/or selling products bearing the designation “MTHR” during the pendency of this litigation, and for the reasons set forth in the Opinion & Order dated December 15, 2021 [Dkt 40];

IT IS HEREBY ORDERED as follows:

- a. Defendant, and all those acting in concert or participation with Defendant (including, but not limited to Defendant's officers, directors, agents, employees, representatives, attorneys, subsidiaries, related companies, successors, assigns, distributors and retailers), are enjoined during the pendency of this action from using, manufacturing, distributing, shipping, advertising, marketing, promoting, selling or otherwise offering products and/or services under the mark "MTHR," any other designation similar thereto, or any other mark or designation confusingly similar to "MUTHA."
- b. Defendant, and all those acting in concert or participation with Defendant, shall immediately recall from all channels of distribution all products, services, advertising and/or promotional materials bearing the mark "MTHR", any other designation similar thereto, or any other mark or designation confusingly similar to "MUTHA."
- c. Defendant, and all those acting in concert or participation with Defendant, shall immediately remove from its website, and from any affiliated websites and social media pages, all references to the "MTHR," any other designation similar thereto, or any other mark or designation confusingly similar to "MUTHA."
- d. Hope Organics and/or its authorized representative(s) must serve a copy of this Order on Defendant and/or Defendant's registered agent via overnight mail or courier at 215 Hembree Park Drive, Suite 140, Roswell, GA 30076, delivered on or before 5:00pm on December 22, 2021. The foregoing shall constitute proper service and notice of this Order.
- e. Defendant shall file with the Court and serve upon Plaintiff's counsel within two (2) weeks after entry of this order, in writing under oath, setting forth in detail the manner and form in which Defendant has complied with the requirements of the preliminary injunction.
- f. This Court shall retain jurisdiction to hear and determine all matters arising out of, relating to, and/or otherwise concerning the interpretation and/or enforcement of this Order.

SO ORDERED.

Dated: December 17, 2021

New York, New York

/s/ Timothy M. Reif

Timothy M. Reif
United States Court of International Trade
Sitting by Designation
United States District Court for the
Southern District of New York